

**§ 570.32 Effect of this subpart.**

In all occupations covered by this subpart the employment (including suffering or permitting to work) by an employer of minor employees between 14 and 16 years of age for the periods and under the conditions specified in § 570.35 shall not be deemed to be oppressive child labor within the meaning of the Fair Labor Standards Act of 1938.

**§ 570.33 Occupations.**

This subpart shall apply to all occupations other than the following:

- (a) Manufacturing, mining, or processing occupations, including occupations requiring the performance of any duties in work rooms or work places where goods are manufactured, mined, or otherwise processed;
- (b) Occupations which involve the operation or tending of hoisting apparatus or of any power-driven machinery other than office machines;
- (c) The operation of motor vehicles or service as helpers on such vehicles;
- (d) Public messenger service;
- (e) Occupations which the Secretary of Labor may, pursuant to section 3(1) of the Fair Labor Standards Act and Reorganization Plan No. 2, issued pursuant to the Reorganization Act of 1945, find and declare to be hazardous for the employment of minors between 16 and 18 years of age or detrimental to their health or well-being;
- (f) Occupations in connection with:
  - (1) Transportation of persons or property by rail, highway, air, water, pipeline, or other means;
  - (2) Warehousing and storage;
  - (3) Communications and public utilities;
  - (4) Construction (including demolition and repair);
 except such office (including ticket office) work, or sales work, in connection with paragraphs (f)(1), (2), (3), and (4) of this section, as does not involve the performance of any duties on trains, motor vehicles, aircraft, vessels, or other media of transportation or at the actual site of construction operations.

**§ 570.34 Occupations in retail, food service, and gasoline service establishments.**

(a) This subpart shall apply to the following permitted occupations for minors between the ages of 14 and 16 employed by retail, food service, and gasoline service establishments.

- (1) Office and clerical work, including the operation of office machines;
- (2) Cashiering, selling, modeling, art work, work in advertising departments, window trimming, and comparative shopping;
- (3) Price marking and tagging by hand or by machine, assembling orders, packing and shelving;
- (4) Bagging and carrying out customers' orders;
- (5) Errand and delivery work by foot, bicycle, and public transportation;
- (6) Clean up work, including the use of vacuum cleaners and floor waxers, and maintenance of grounds, but not including the use of power-driven mowers, or cutters;
- (7) Kitchen work and other work involved in preparing and serving food and beverages, including the operation of machines and devices used in the performance of such work, such as but not limited to, dish-washers, toasters, dumbwaiters, popcorn poppers, milk shake blenders, and coffee grinders;
- (8) Work in connection with cars and trucks if confined to the following: Dispensing gasoline and oil; courtesy service; car cleaning, washing and polishing; and other occupations permitted by this section, but not including work involving the use of pits, racks, or lifting apparatus, or involving the inflation of any tire mounted on a rim equipped with a removable retaining ring.
- (9) Cleaning vegetables and fruits, and wrapping, sealing, labeling, weighing, pricing and stocking goods when performed in areas physically separate from those where the work described in paragraph (b)(7) of this section is performed;
- (b) Paragraph (a) of this section shall not be construed to permit the application of this subpart to any of the following occupations in retail, food service, and gasoline service establishments: